

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA	:	
	:	
v.	:	
	:	1:20CR348-1
ELOY ALBERTO ZAYAS-BERRIER	:	

JOINT STATUS REPORT

Pursuant to the applicable Scheduling Order, counsel for the defendant and counsel for the United States inform the Court as follows:

- ☐ A plea agreement has been signed and filed.
- ☐ The parties have agreed on a plea agreement and a written plea agreement will be filed no later than December 4, 2020.
- ☐ The defendant intends to plead guilty without a written plea agreement.

*If any of the above three boxes is checked, check at least one box below:*

- ☐ the defendant consents to a video conference Rule 11 hearing.
- ☐ the defendant is or will be ready to proceed with a Rule 11 hearing as soon as an in-person hearing can be scheduled.
- ☒ The matter is not ready for Rule 11 hearing or trial because: see below.
  - ☐ there is a pending motion which must be resolved. The motion is on the docket at Doc.  

The motion ☐ does ☐ does not require a hearing at which the defendant must be present.
  - ☐ There are outstanding discovery issues which must be resolved.

☐ The defendant does not intend to plead guilty and the case needs to be set for jury trial.

☒ The parties have discussed the requirements of the Speedy Trial Act and

☐ The United States [ ] has filed [ ] intends to file a motion to exclude time from Speedy Trial Act calculations, to which the defendant will not or does not object.

☒ There are no Speedy Trial Act issues. *See* 18 U.S.C. § 3161(h)(2).

☒ Other information relevant to scheduling: The government and the defendant have executed a pretrial diversion agreement. The defendant is currently in compliance with the terms of that agreement. Assuming the defendant continues to remain in compliance through the four-month term of the agreement (which ends on or about August 19, 2021) and the probation office notifies the government as such, the government anticipates filing a motion to dismiss this matter with prejudice shortly thereafter.

☐ If either party expects to file a motion to continue.

This the 28th day of July, 2021.

SANDRA J. HAIRSTON  
Acting United States Attorney

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/S/ STEPHEN T. INMAN  
NCSB # 26913

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/S/ KATHLEEN A. GLEASON  
NCSB # 31984  
Assistant Federal Public Defender  
Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on July 28, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

Kathleen A. Gleason, AFD

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Acting United States Attorney

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